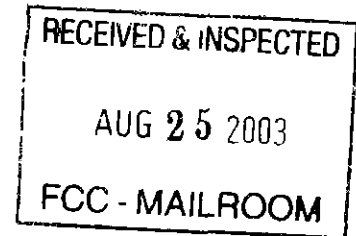


Cedar County Library District

August 20, 2003

Federal Communication Commission
Office of the Secretary
445 12th Street SW
Washington, DC 20554



cc Docket # 02-6

Dear Sir or Madam

A F-4 tornado destroyed the Cedar County Library's branch at Stockton on May 4, 2003. The library housed all of our records. I have been spending as much time as I could locating supporting documents for my appeal. I found the copy of the front and back of the packet, but not the letter.

I am appealing the denial of the appeal by the School and Libraries Division of the Universal Fund Administrative Company because as you can plainly see from the enclosed copy of the front and back of the packet, it is postmarked February 6, 2003. The clerk affixed the wrong postage to the packet, although it was set up to be sent certified. The packet was returned to us because of insufficient postage. I called the SLD to let them know what had happened, and they told me to resubmit it with the explanation which I did. I have also enclosed a copy of the denial letter.

I fully agree that it is the sender's responsibility to mail the packet of supporting documents in a timely manner, but I disagree with the assumption that it is the responsibility of the sender for affixing correct postage on the packet. That job, after all, is the responsibility of the postal clerk.

I would like to have the SLD's denial of my appeal withdrawn, and my packet reinstated so that we can pursue the E-Rate discounts.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Glenda Pate".

Glenda Pate
Director

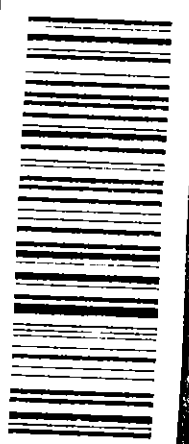
MAILED 10/20/03
LISTED 10/20/03

A handwritten mark in the right margin, resembling a stylized capital letter 'C' or 'G'.

.....

Cedar County Library
P.O. Box 97
Stockton, MD 65785

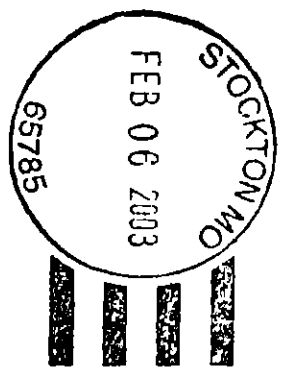
Received
from most
of the
1st class
for library
1-21-03



7001 1940 0003 5155 6205

LIBRARY RATE

SLD-Form 477
~~SLD-Form 477~~
3833 Greenway Drive
Lawrence, KS 66046



SENDER:

☐ Complete items sent to addressee only.
☐ If you have a duplicate of the enclosed, the post office can return extra fee.
☐ If you have a duplicate of the enclosed, the post office can return extra fee.
☐ If you have a duplicate of the enclosed, the post office can return extra fee.
☐ If you have a duplicate of the enclosed, the post office can return extra fee.

Article Addressed to:

SLD - 201m 471
c/o Mrs Smith
2833 Greenwood Dr.
Lawrence, KS 66044

Received By: Mr. Lawrence

Signature: Addressee or Agent

X

Article Number:

Service Type:

☐ Registered
☐ Registered Mail
☐ Registered Mail
☐ Registered Mail

Addressed to:

☐ Addressee's Address
☐ Restricted Delivery
☐ Registered Mail

Consolidation Fee:

Postage:

Domestic Return Receipt

Thank you for using Return Receipt Service

I took this to our "superstore" grocery store to mail. They attempted to mail it heavy rate. Instead of just class. Needless to say, it came back to ~~me~~ us. We're trying again.



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2003-2004

June 9, 2003

Glenda Pate
Cedar County Library District
P O Box 97
3 Public Square
Stockton, MO 65785

Re	Billed Entity Number	76412
	471 Application Number	380969
	Funding Request Number(s)	1048356, 1048497, 1048587, 1048646, 1048697, 1048751, 1048799, 1049088, 1049148, 1049187, 1049229, 1049262, 1049296
	Your Correspondence Dated	March 27, 2003

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year 2003 Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

<u>Funding Request Number</u>	1048356, 1048497, 1048587, 1048646, 1048697, 1048751, 1048799, 1049088, 1049148, 1049187, 1049229, 1049262, 1049296
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Decision on Appeal	Denied in full
Explanation	

- You have stated on appeal that you received a Funding Year 2003 Form 471 Certification Postmarked Outside Window letter dated March 13, 2003 stating that your Form 471 certification was postmarked on February 11, 2003, which is outside the 2003-2004 filing window closed at 11:59 p.m. EST on February 6, 2003. You also stated that due to circumstances beyond your control, the "packet" that you mailed on February 6, 2003 was returned to you due to insufficient postage. You further stated that you put the returned "packet" in another envelope, which was sent to SLD via certified mail. You also stated as an additional argument that SLD has in its

possession the original envelope that was postmarked February 6, 2003 and you are attaching a copy of this envelope to the appeal letter. You closed the appeal by stating that it is not your fault that a "clerk" did not apply the appropriate postage rate to your documentation.

- When Blocks 1-5 of the Form 471 are submitted online, the applicant must also (1) submit the completed Block 6 certification online with a user ID and a PIN or (2) submit the completed and signed paper Block certification by mail, express delivery or U.S. Postal Services Return Receipt Requested. According to our records the completed Block 6 certification of this Form 471 was postmarked February 11, 2003. Per the program rules for Funding Year-2003, Form 471's Block 6 certification with the signature of the authorized person must be received by 11:59 p.m. EST on February 6, 2003 or postmarked on or before February 6, 2003 in order for the request to receive consideration as inside the window. Since your form did not meet this requirement, SLD correctly rejected this request for discounts. Your appeal is denied.
- Although your intent was to postmark/submit your Form 471's certification page by February 6, 2003, it was returned to you due to insufficient postage. SLD has established a policy that imposes upon applicants the responsibility of preparing their applications correctly and submit all the filing material in a timely fashion. The Form 471 certification submitted is clearly postmarked February 11, 2003 and you have failed to provide conclusive evidence to show otherwise. The FCC Form 471's signature certification is fundamental to the administration of the program. SLD relies on the signature certification to establish the authority of the signer to represent the applicant. Signature certifications ultimately satisfy the program's policy objective of binding the applicants and service providers to the program requirements. Failing to submit a signature certification before the filing window omits the legally binding act that signifies compliance with program rules. Program rules for Funding Year 2003 require that Form 471 Certifications be postmarked no later than February 6, 2003 in order for the Form 471 to be considered as inside the filing window. The certification page that was returned to you for insufficient postage must also meet this filing deadline. Since our records indicate that your Form 471 Certification did not meet this requirement, your appeal is denied.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be **RECEIVED BY THE FCC WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER**. Failure to meet this requirement will result in automatic dismissal of your appeal. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use either the e-mail or fax filing options because of continued substantial delays in mail delivery to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

We thank you for your continued support, patience, and cooperation during the appeal process

Schools and Libraries Division
Universal Service Administrative Company